

**BOARD OF HEALTH**  
**Room 101: Bangs Community Center**  
**Minutes**

March 25, 2010

BOH Members: David Ahlfeld, Maria Bulzacchelli, Nancy Gilbert, David Kaufman

BOH Member Excused: Sandy Sulsky

Staff: Julie Federman, Pamela Field-Sadler

Other: Diana Stein-Amherst Board of Selectmen Liaison, Kay Zlogar-Town Manager's Office, Hwei-Ling Greeney-Committee on Homelessness, Dennis L. Tower-Warming Place guest, Scott Merzbach-*Daily Hampshire Gazette*, Michelle Williams-*Daily Collegian*, Ted Rogers-Broadcast Project

**Meeting opened at 7:00 p.m.**

Hwei-Ling Greeney requested the opportunity to address the Board of Health (BOH) to share concerns of the Committee on Homelessness regarding the Warming Place. The BOH agreed to hear Ms. Greeney during the New Business portion of the meeting.

**I. Review & Receive**

**A. Meeting Minutes**

1. Meeting Minutes from February 25, 2010 – **Approved as written**

**II. New Business**

**A. The Warming Place – Hwei-Ling Greeney**

Ms. Greeney explained the intention of the Warming Place, located in the First Baptist Church, is to provide an opportunity for homeless who need to escape the extreme cold temperatures. The Warming Place is scheduled for closure as of March 31, 2010. Ms. Greeney shared her frustration with the confusion regarding health codes and the denial for food to be prepared on site, and volunteers bringing food into the Warming Place for serving to guests. Ms. Federman explained the Town of Amherst has had a contract with the Center for Human Development (CHD) whose staff has overseen the Warming Place since the onset and provides pre-packaged food in accordance with the Food Code nightly. Ms. Federman further explained recently an application for a Temporary Cot Shelter had been received, and the Fire, Building and Health Departments have been working jointly to review the application and ensure observance of regulations. Ms. Federman was commended by the Board of Health (BOH) for her clarification of the situation and easing the concerns of Ms. Greeney.

**B. Nomination of Animal Inspector**

**Motion:** Ms. Gilbert made the motion, seconded by Ms. Bulzacchelli, to nominate Carol Hepburn and Michael Katz, DVM as Animal Inspectors for the Town of Amherst.

**Vote:** Unanimous

### III. Old Business

#### A. Tobacco Regulations

##### 1. Outdoor Spaces

The Board of Health (BOH) reviewed the draft Environmental Tobacco Smoke (ETS) regulation with modifications suggested by Attorney D.J. Wilson. The following was noted regarding the draft ETS regulation:

- Include a preface, to be drafted by Ms. Gilbert and Ms. Federman, which identifies the BOH logic for the regulation
- BOH agreed to Section 4(3)g and Section 4(3)h as written
- Change the definition of “Registered Event” in Section 3 to read: *any event for which a reservation has been obtained from the Town of Amherst for the use of Town owned outdoor property.*
- Section 4(3)j to read: *on Town owned athletic fields during Registered Events.* The BOH agreed to omit the Town Common from Section 4(3)j, and gather data over the next year to determine smoking habits during Registered Events.
- Section 5(1) opening to read: *An owner, manager, or other person in control of a building or vehicle who violates this section by allowing smoking in a place where smoking is prohibited shall be punished by a fine of:*
- Section 5(7): remove Registered Event
- The BOH agreed to retain the fine structure as it is. Police will not be responsible for enforcing fines; the Health Department will be responsible for enforcing fines. Ms. Field-Sadler will determine the generated revenue from tobacco fines for the past 10 years.
- Ms. Field-Sadler will modify the draft ETS Regulation as suggested and forward to Chairman Ahlfeld for review

In reviewing the submitted Public Comments regarding the proposed amendments to the ETS regulation, the BOH agreed further discussion of smoking on school grounds would be appropriate. The suggestion was made to investigate the possibility of drafting School Zone regulations which might include smoking and pedestrian safety. Ms. Federman will contact Interim Superintendent Maria Geryk, High School Principal Mark Jackson, Student Services Administrator Dave Slovin, and DPW Director Guilford Mooring for comment and future discussion. Another Public Comment submitted by a Town of Amherst employee shared concern for smoke fenestration into his office; the BOH agreed the current regulation provides for a smoke-free workplace.

##### 2. Smoking Disclosure – tabled until next meeting

Ms. Field-Sadler will scan articles from Ms. Gilbert and forward to the Board of Health (BOH) for review.

Attorney D.J. Wilson has requested a letter supporting the services he has provided to the Board of Health (BOH.) The BOH agreed a letter of support is appropriate; Chairman Ahlfeld will compose the letter.

**IV. Health Director's Report**

Mr. Kaufman brought the recent article in the *Daily Hampshire Gazette* regarding restaurant inspections to everyone's attention. The Board of Health (BOH) commended Ms. Federman and the Health Department on their hard work and the positive publicity. Ms. Field-Sadler will forward a copy of the article to Ms. Bulzacchelli.

**A. Smoke-free Housing**

The Amherst Housing Authority (AHA) is considering converting to smoke-free housing. Third-hand smoke and the difficulty and expense involved in cleaning a residential property vacated by a smoker were concerns raised by Nancy Schroeder, AHA Housing Manager in a discussion with Ms. Federman. Village Park is moving toward smoke-free housing as well. Ms. Federman will research the properties managed by the AHA and forward the information to the BOH via email.

**B. Warming Place**

Ms. Federman reiterated the joint work of the Fire, Building and Health Departments in addressing the concerns regarding the Warming Place.

**C. Farmers' Market**

Ms. Federman has consulted Health Department Staff and Town Manager Larry Shaffer regarding the Farmers' Market fee. The fee will be reduced to \$50.00. Chairman Ahlfeld, liaison to the Agricultural Commission, confirmed there is movement afoot to develop a year-long Farmers' Market.

The BOH asked Ms. Federman if the passing override vote eased tensions in the Health Department. Ms. Federman stated the contracted restaurant inspections work in Northampton was going smoothly. Ms. Federman has completed the ServSafe course and will begin to complete some inspections in Amherst. Ms. Federman also spoke of moving forward with regaining a part-time, 15 hours per week, Public Health Nurse.

**VII. Schedule Next Board of Health Meeting/Agenda Closing Date**

**A.** The next Board of Health meeting will be April 29, 2010.

**Meeting Adjourned: 8:50 p.m.**

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Pamela Field-Sadler, Management Assistant  
**APPROVED: 4-29-10**

